

JOSEPH P. RUSSONIELLO (CABN 44332)
United States Attorney

BRIAN J. STRETCH (CABN 163973)
Chief, Criminal Division

DANIEL R. KALEBA (CABN 223789)
Assistant United States Attorneys

1301 Clay Street, Suite 340-S
Oakland, California 94612
Telephone: (510) 637-3680
Facsimile: (510) 637-3724
E-Mail: daniel.kaleba@usdoj.gov

Attorneys for the United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,)	Criminal No.: CR-08-00133 DLJ
)	
Plaintiff,)	
)	
v.)	STIPULATION AND [PROPOSED] ORDER
)	TO EXCLUDE TIME UNDER THE SPEEDY
)	TRIAL ACT
ARTURO VILLANUEVA-CORDOVA)	
)	
Defendant.)	
_____)	

WHEREAS the April 4, 2008 appearance for above referenced matter was not held due to the Court's unavailability, the parties respectfully request, and IT IS HEREBY STIPULATED, that the time until the next appearance before the Court, set for April 18, 2008, should be excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(8)(A) and (B)(iv) for continuity of counsel and adequate preparation of counsel. The parties are continuing to investigate certain of Mr. Villanueva-Cordova's criminal history conduct that may

1 affect the Sentencing Guidelines calculation in a potential pre-trial disposition.

3 DATED: April 9, 2008

/s/

DANIEL R. KALEBA
Assistant United States Attorney

5 DATED: April 9, 2008

/s/

JEROME MATTHEWS
Assistant Federal Public Defender

8 SIGNATURE ATTESTATION

9 I hereby attest that I have on file all holograph signatures for any signatures indicated by
10 a "conformed" signature (/S/) within this e-filed document.

14 **ORDER**

15 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the time from April 4,
16 2008, to April 18, 2008, should be excluded in accordance with the provisions of the Speedy
17 Trial Act, 18 U.S.C. §§ 3161(h)(8)(A) and (B)(iv) for adequate preparation of counsel. The Court
18 finds that the ends of justice served by the granting of the continuance outweigh the best interests
19 of the public and the defendant in a speedy and public trial and the failure to grant the requested
20 continuance would unreasonably deny counsel the reasonable time necessary for effective
21 preparation, taking into account due diligence.

22 SO ORDERED.

24 DATED: April __, 2008

HONORABLE D. LOWELL JENSEN
United States District Judge